

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
JOHN P. HEHNAN
CLERK

2014 JAN 23 PM 3:11

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST OHIO CHAMBER

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Case No. 1:14MJ-056

Priority Mail parcel postal tracking number 9405 5118 9956 0764
1604 39, postmarked January 13, 2014, weighing 14 pounds 2 ounces,
addressed to Sergio Mendez, 6814 Sebree Dr Apt 16, Florence, KY
41042-2038 with a return address of Dolores Padierna, 1900
University Dr, Brownsville, TX 78520

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail parcel postal tracking number 9405 5118 9956 0764 1604 39

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

| Code Section | Offense Description |
|----------------------------|---|
| 841 (a) (1), 843 (b) & 846 | Conspiracy to distribute a controlled substance |
| | Possession with intent to distribute a controlled substance |

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector O'Neill

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



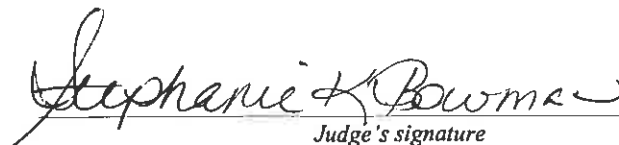
Applicant's signature

Karen L. O'Neill, U. S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 1/23/14



Judge's signature

City and state: Cincinnati, Ohio

Honorable Stephanie K. Bowman
United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI, OHIO

STATE OF OHIO)
) SS
COUNTY OF HAMILTON)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, KAREN O'NEILL, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since March 2003. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for Southwest Ohio, Northern Kentucky, and Southeast Indiana. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

Your affiant has become aware that drug traffickers frequently use Express Mail, a business-oriented overnight service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances, and their proceeds or instrumentalities from the sale of the controlled substances. Your affiant has also become aware that drug traffickers frequently use Priority Mail with delivery confirmation, a 2-3 day service offered by the United States Postal Service. As a result of investigations and successful controlled substance prosecutions where the Mail was used, your affiant has learned of certain characteristics indicative of other Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send parcels, false or non-existent return address, addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

In August 2013, your affiant began an investigation involving the use of the mail to ship narcotics between northern Kentucky and the Texas border and northern California; known drug source locations.

Since the investigation began, your affiant has obtained 4 federal search warrants for parcels addressed to 194 Villa Dr, Walton, KY 41094 and 6814 Sebree Dr Apt 16, Florence, KY 41042. Each of those parcels was found to contain a substance that field tested positive for marijuana.

On January 13, 2014, your affiant was contacted by the postmaster at the Walton Post Office regarding large parcels that have been delivered to 194 Villa Dr and 265 Deer Trace Dr with return addresses from Brownsville, Texas. She stated that she thought they were similar to prior parcels that your affiant had contacted her about before.

On January 13, 2014, your affiant learned that at least 7 parcels weighing between 9 and 23 pounds had been delivered to multiple addresses in northern Kentucky coming from the Texas border.

On January 14, 2014, your affiant was contacted by the postmaster at the Walton Post Office regarding Parcel Select parcel postal tracking number 9461 2118 9956 0724 3528 00 addressed to Roberto Perez, 194 Villa Dr, Walton, KY 41094-9333 with a return address of Jose Perez, 106 South Dr, Brownsville, TX 78520. Your affiant requested the parcel be placed in a secure area for further investigation.

Your affiant knows that the return address 106 South Dr, Brownsville, TX 78520 is not an address recognized but the postal service for mail delivery.

On January 14, 2014, your affiant obtained the parcel from the Walton Post Office.

On January 14, 2014, the Cincinnati Police Department Narcotics Unit was contacted to arrange for a narcotic canine to check the parcel. Officer Phil Stoup responded to the Cincinnati Postal Inspection Service office, Cincinnati, Ohio where the parcel was placed in a controlled area and presented to narcotic

canine, "Max". "Max" alerted positively to the presence or odor of a controlled substance or their proceeds or instrumentalities upon Parcel Select parcel postal tracking number 9461 2118 9956 0724 3528 00 addressed to Roberto Perez, 194 Villa Dr, Walton, KY 41094-9333. Attached herewith, and made part hereof by reference, is a photocopy of the narcotic canine handler's record of examination.

On January 14, 2014, your affiant was contacted by Postal Inspectors in McAllen, Texas regarding Priority Mail parcel postal tracking number 9405 5118 9956 0764 1604 39 addressed to Sergio Mendez, 6814 Sebree Dr Apt 16, Florence, KY 41042-2038 with a return address of Dolores Padierna, 1900 University Dr, Brownsville, TX 78520 and Parcel Select parcel postal tracking number 9461 2118 9956 0764 5188 46 addressed to Juan Pacheco, 265 Deer Trace Dr, Walton, KY 41094-8402 with a return address of Ana L. Pacheco, 1120 Calle Galaxia, Brownsville, TX 78520. According to McAllen Inspectors, the return address information could not be found.

Your affiant requested the parcels be sent to her location for further investigation.

On January 15, 2014, the aforementioned parcels arrived in Cincinnati, Ohio and were obtained by Postal Inspectors.

On January 22, 2014, the Cincinnati Police Department Narcotics Unit was contacted to arrange for a narcotic canine to check the parcels. Officer Sean Woods responded to the Cincinnati Postal Inspection Service office, Cincinnati, Ohio where the parcels were placed in a separate controlled area and presented to narcotic canine, "Dozer". "Dozer" alerted positively to the presence or odor of a controlled substance or their proceeds or instrumentalities upon Priority Mail parcel postal tracking number 9405 5118 9956 0764 1604 39 addressed to Sergio Mendez, 6814 Sebree Dr Apt 16, Florence, KY 41042-2038 and Parcel Select parcel postal tracking number 9461 2118 9956 0764 5188 46 addressed to Juan Pacheco, 265 Deer Trace Dr, Walton, KY 41094-8402. Attached herewith, and made part hereof by reference, is a photocopy of the narcotic canine handler's record of examination.

Parcel #1 is further identified as follows: a T-Fal cookware cardboard box approximately 22" x 12" x 9" in size, bearing postal tracking number 9461 2118 9956 0724 3528 00, weighing 15 pounds 4 ounces, postmarked January 6, 2014; see address information below:

Sender: Jose Perez
106 South Dr
Brownsville, TX 78520

Addressee: Robert o Perez
194 Villa Dr
Walton, KY 41094-9333

Parcel #2 is further identified as follows: a U.S. Postal Service Priority Mail cardboard box 15 1/2" x 12" x 12" in size, bearing Priority Mail parcel postal tracking number 9405 5118 9956 0764 1604 39, weighing 14 pounds 2 ounces, postmarked January 13, 2014; see address information below:

Sender: Dolores Padierna
1900 University Dr
Brownsville, TX 78520

Addressee: Sergio Mendez
6814 Sebree Dr Apt 16
Florence, KY 41042-2038

Parcel #3 is further identified as follows: a Home Depot brown cardboard box 15" x 12" x 12" in size, bearing postal tracking number 9461 2118 9956 0764 5188 46, weighing 18 pounds 3 ounces, postmarked January 13, 2014; see address information below:

Sender: Ana L. Pacheco
1120 Calle Galaxia
Brownsville, TX 78520

Addressee: Juan Pacheco
265 Deer Trace Dr
Walton, KY 41094-8402

This information, along with the positive alert of narcotic canine "Max and Dozer" is indicative of a drug package or its proceeds.

Based on the information contained herein, your affiant believes that contained in Parcel Select parcel postal tracking number 9461 2118 9956 0724 3528 00, Priority Mail parcel postal tracking number 9405 5118 9956 0764 1604 39 and Parcel Select parcel postal tracking number 9461 2118 9956 0764 5188 46 is a quantity of a narcotic or other dangerous controlled substance, their proceeds or instrumentalities.

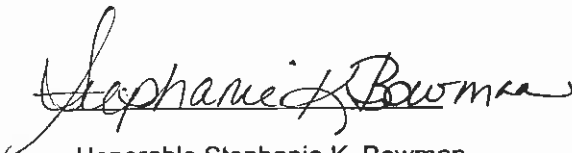
Therefore, a search warrant to open the parcel is requested.

Further, your affiant sayeth naught.



Karen O'Neill
Postal Inspector

Subscribed and sworn to and before me this 23 day of January, 2014.



Honorable Stephanie K. Bowman
United States Magistrate Judge



United States Postal Inspection Service
Pittsburgh Division

OFFICER AFFIDAVIT

I, Officer SEAN M. WOODS, am and have been employed by the CINCINNATI POLICE DEPT. since 1-00. Among other duties, I am currently the assigned handler of narcotics detection canine "DOZER" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

HEROIN, MEIN, COCAINE, MARIJUANA

On 1-22-14, at the request of Postal Inspector K. O'Neill, I responded to Cincy Postal Troopette, where "DOZER" did alert to and indicate upon: [describe item]

PP parcel 9405 5118 4456 6764 1004 3e addressed to Sergio Mendez 6814 Sebree Dr Apt 16 Placentia CA 92678 with return address Dolores Pedernera 1600 University Dr Brownsville TX 78560

Which, based upon my training and experience and that of "DOZER", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

[Signature] 1-22-14
(Signature and Date)

[Signature]
(Signature and Date)